

State of Kansas  
Department of Health and Environment

Public Notice Concerning Kansas / Federal  
Water Pollution Control Permits and Applications

State of Kansas  
Department of Health and Environment  
Division of Environment-Bureau of Water  
1000 SW Jackson St., Suite 420  
Topeka, Kansas 66612-1367

Telephone: (785) 296-6432 - Ag Permits  
(785) 296-5517 - All Others

Public Notice No. KS-AG-17-209/220  
KS-AG-R-17-021/022

Beginning Date: October 5, 2017  
Comments Due: November 4, 2017

In accordance with Kansas Administrative Regulations 28-16-57 through 63, 28-18-1 through 17, 28-18a-1 through 33, 28-16-150 through 154, 28-46-7, and the authority vested with the State by the administrator of the U.S. Environmental Protection Agency, various draft water pollution control documents (permits, notices to revoke and reissue, notices to terminate) have been prepared and/or permit applications have been received for discharges to waters of the United States and the state of Kansas for the class of discharges described below.

The proposed actions concerning the draft documents are based on staff review, applying the appropriate standards, regulations, and effluent limitations of the state of Kansas and the Environmental Protection Agency. The final action will result in a Federal National Pollutant Discharge Elimination System Authorization and/or a Kansas Water Pollution Control permit being issued, subject to certain conditions, revocation, and reissuance of the designated permit or termination of the designated permit.

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**Public Notice No. KS-AG-17-209/220**

**Pending Permits for Confined Feeding Facilities**

<u><b>Name And Address of Applicant</b></u>	<u><b>Legal Description</b></u>	<u><b>Receiving Water</b></u>
Nathan and Vance Kells Circle Bar Heifer Ranch, LLC 842 60 <sup>th</sup> Road Satanta, KS 67870	S/2 of Section 29 T27S, R33W Haskell County	Upper Arkansas River Basin

Kansas Permit No.: A-UAHS-C002

Federal Permit No.: KS0096466

This permit is being re-issued for a confined animal feeding operation for 28,000 head (28,000 animal units) of cattle weighing greater than 700 pounds. This represents an increase in the permitted animal units from the previous permit. The permit also contains modifications consisting of the construction of approximately 72.0 acres of additional open lot pens, a new sediment basin, an additional waste retention structure, and additional feed storage areas. This facility has an approved Nutrient Management Plan on file with KDHE.

Armando Caballero  
Deseret Cattle Feeders, LLC

S/2 & NW/4 of Section 26 &  
W/2 of Section 23

Upper Arkansas River  
Basin

521 Road 50  
Satanta, KS 67870

T27S, R34W  
Haskell County

Kansas Permit No.: A-UAHS-C004

Federal Permit No.: KS0039519

This is a renewal permit for an existing facility for 47,500 head (47,500 animal units) of cattle weighing more than 700 pounds. There has been no change in animal numbers from the last permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Eric Doll  
Doll Land & Cattle, Inc.  
5355 N. Doll Rd.  
Ingalls, KS 67853

SW/4 of Section 18  
T23S, R29W &  
NE/4 of Section 24 &  
SE/4 of Section 13  
T23S, R30W  
Finney County

Upper Arkansas River  
Basin

Kansas Permit No.: A-UAFI-C010

Federal Permit No.: KS0117714

This is a renewal permit for an existing facility for 7,500 head (6,000 animal units) of cattle weighing more than 700 pounds. There has been no change in animal units from the last permit. This facility has an approved Nutrient Management Plan on file with KDHE.

David Stapleton  
Stapleton Hog Inc.  
10006 E Road  
Plains, KS 67869

S/2 of Section 22  
T30S, R29W  
Meade County

Cimarron River Basin

Kansas Permit No.: A-CIME-H004

Federal Permit No.: KS0090468

This is a renewal permit for an existing facility for 5,040 head (2,016 animal units) of swine weighing more than 55 pounds. There is no change in the permitted animal units from the previous permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Darrell Sturdy  
Sturdy Farm  
1108 West 6<sup>th</sup> Street  
Lyndon, KS 66451

NE/4 of Section 12  
T17S, R15E  
Osage County

Marais des Cygnes  
River Basin

Kansas Permit No.: A-MCOS-B007

This is a renewal permit for an existing facility for 800 head (400 animal units) of cattle weighing less than 700 pounds. There is no change in permitted animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE. Modification plans to adequately contain surface runoff from the confined feeding facility shall be submitted to the Department for review and approval by date [corresponding to six (6) months from the effective date of the permit].

Jay Rezac  
Rezac Farms LLP  
24430 Aiken Switch Road  
Onaga, KS 66521

SE/4 of Section 35  
T07S, R11E  
Pottawatomie County

Kansas River Basin

Kansas Permit No.: A-KSPT-B007

This permit is being reissued for an existing facility with a maximum capacity of 350 head (350 animal units) of cattle weighing greater than 700 pounds, 600 head (300 animal units) of cattle weighing less than 700 pounds, and 8 head (16 animal units) of horses, for a maximum capacity of 666 animal units of cattle and horses. There is no change in the permitted animal units from the previous permit cycle.

Kevin T. Holton  
Holton Brothers Dairy  
20720 Kansas Avenue  
Tonganoxie, KS 66086

SE/4 of Section 15  
T11S, R21E  
Leavenworth County

Kansas River Basin

Kansas Permit No.: A-KSLV-M001

This permit is being reissued for an existing facility with a maximum capacity of 107 head (107 animal units) of dairy heifers, 48 head (24 animal units) of dairy calves, and 4 head (5.6 animal units) of mature dairy cattle, for a total of 136.6 animal units of cattle. This represents a decrease in the animal units from the previous permit cycle.

Craig Jecha  
3014 Avenue S  
Timken, KS 67575

NW/4 of Section 04  
T19S, R17W  
Rush County

Upper Arkansas River  
Basin

Kansas Permit No.: A-UARH-B011

This permit is being reissued for an existing facility with a maximum capacity of 150 head (150 animal units) of cattle more than 700 pounds and 150 head (75 animal units) of cattle 700 pounds or less, for a total of 300 head (225 animal units) of cattle. There is no change in the permitted animal units from the previous permit cycle.

Robert L. & Kennie Smith  
Rokenn Enterprises  
137 N. 110<sup>th</sup> Road  
Delphos, KS 67436

SE/4 of Section 26  
T08S, R04W  
Cloud County

Solomon River Basin

Kansas Permit No.: A-SOCD-K001

This permit is being reissued for an existing facility with a maximum capacity of 100 dogs of all sizes. There is no change in the permitted animal units from the previous permit cycle.

Bernard O'Brien

NE/4 of Section 01

Neosho River Basin

O'Brien Ranch Enterprises, Inc.  
970 N. 90<sup>th</sup> Street  
Hepler, KS 66746

T28S, R22E  
Crawford County

Kansas Permit No.: A-NECR-B003

This permit is being reissued for an existing facility with a maximum capacity of 999 head (499.5 animal units) of cattle 700 pounds or less. There is no change in the permitted animal units from the previous permit cycle.

Phil Hanson  
Sun-E-View Feeders  
3411 E. Road 9  
Ulysses, KS 67880

NW/4 of Section 18  
T28S, R36W  
Grant County

Cimarron River Basin

Kansas Permit No.: A-CIGT-B002

This permit is being reissued for an existing facility with a maximum capacity of 950 head (950 animal units) of cattle more than 700 pounds. There is no change in the permitted animal units from the previous permit cycle.

Ross Duff  
Duff Land and Cattle dba  
Kansas Feed Yard  
2505 South Juniper  
Scott City, KS 67871

W/2 & SE/4 of Section 34  
T18S, R33W  
Scott County

Upper Arkansas River  
Basin

Kansas Permit No.: A-UASC-C023

Federal Permit No.: KS0037923

An update to the Nutrient Management Plan (NMP) was received for this existing facility currently permitted for 6,000 head (6,000 animal units) of cattle weighing greater than 700 pounds. The facilities NMP was updated to include the addition of four (4) new land application fields. There are no changes to the permit or in the permitted number of animal units. Only the updated portions of the Nutrient Management Plan are subject to comment. This facility has an approved Nutrient Management Plan on file with KDHE.

**Public Notice No. KS-AG-R-17-021/022**

**Per Kansas Statutes Annotated 65-171d, the following Registration(s) have been received for proposed confined feeding facilities:**

**Name And Address of Registrant**

Julia Nelson  
Hilltop Nursery  
1304 W. Fox Rd  
Long Island, KS 67647

**Legal Description**

W/2 of Section 03  
T02S, R20W

**County**

Phillips

James B. Fisher

SW/4 of Section 13

Labette

Fisher Dairy  
6049 Trego Road  
Chetopa, KS 67336

T34S, R02E

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Persons wishing to comment on or object to the draft documents and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment if they wish to have the comments or objections considered in the decision making process. Comments or objections should be submitted to the attention of Livestock Waste Management Section for agricultural related draft documents or applications, or to the permit clerk for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367.

All comments regarding the draft documents or application notices received on or before **November 4, 2017**, will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-17-209/220, KS-AG-R-17-021/022) and name of the applicant/permittee when preparing comments.

After review of any comments received during the public notice period, the Secretary of Health and Environment will issue a determination regarding final agency action on each draft document/ application. If response to any draft document / application indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC).

All draft documents / application and the supporting information including any comments received are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, Kansas. These documents are available upon request at the copying cost assessed by KDHE. Application information and components of plans and specifications for all new and expanding swine facilities are available on the Internet at <http://www.kdheks.gov/feedlots>. Division of Environment offices are open from 8 a.m. to 5 p.m., Monday through Friday, excluding holidays.